

FILED
UNITED STATES DISTRICT COURT IN CLERK'S OFFICE
DISTRICT OF MASSACHUSETTS

2005 FEB 17 P 3: 54

UNITED STATES OF AMERICA

v.

ERIC MOLIGNARO

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U.S. DISTRICT COURT
DISTRICT OF MASS.

CR. NO. 04-10373-MLW

JOINT MOTION FOR EXCLUDABLE TIME

The United States of America, by Assistant U.S. Attorney Ann Taylor, and the defendant Eric Molignaro, by counsel Miriam Conrad, Esq., jointly move pursuant to 18 U.S.C. § 3161(h)(8)(A) and Local Rule 112.2(A)(2) that the forty-two (42) day period of time commencing on December 17, 2004, the date of the defendant's arraignment, through January 28, 2005, be excluded from computation under the Speedy Trial Act of the time within this case must be tried. As reason therefore, the parties represent that during that period of time the parties were developing their discovery plans and producing discovery under the automatic discovery process. The parties also jointly move pursuant to § 3161(h)(8)(A) that the fifty-nine (59) day period of time commencing on January 28, 2005, the date of the initial status conference, through March 29, 2005, the date of a scheduled interim status conference, be excluded from computation under the Speedy Trial Act of the time within this case must be tried. As reason therefore, the parties represent that this additional time is necessary for the defendant to review the discovery that has been provided by the government and determine whether to file substantive motions. It is therefore in the interests of justice that the instant motion be allowed.

WHEREFORE, the parties request that the Court enter a written order of excludable delay covering the period of December 17, 2004 through January 28, 2005 and the period of January 28, 2005 through March 29, 2005.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Ann Taylor
Ann Taylor
Assistant U.S. Attorney

ERIC MOLIGNARO
Defendant

By: /s/ Miriam Conrad
Miriam Conrad
Counsel for Eric Molignaro

DATE: February 16, 2005